IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 4865 of 1999

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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BRIJLAL RUNGTA EYE HOSPITAL THROUGH MANAGING TRUSTEE - Petitioner(s)
Versus
SHRAWAN N SOLANKI - Respondent(s)

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Appearance :
MR HRIDAY BUCH for Petitioner(s) : 1,
MR RC PATHAK for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

Date : 22/06/2007

ORAL JUDGMENT

1. Shri Hriday Buch, learned counsel for the petitioner; Shri R.C. Pathak, learned counsel

for the respondent.

2. Under the instructions of the respective parties, learned counsel for the parties submit that the present petitioner is withdrawing its challenge to the order of reinstatement and further states that in obedience and execution of the award made by the learned Labour Court, they have already reinstated the respondent. Shri Pathak, learned counsel for the respondent submits that if sum of Rs. 10,000/- is paid in lump sum to the respondent against the back wages, he will give up all his claims relating to back wages. Shri Buch, under the instructions of the petitioner accepts the offer.

3. In view of the acceptance of the offers and counter offers, the petition is disposed of with the following directions:-

[a] The award made by the learned Labour Court regarding reinstatement of the petitioner is hereby confirmed.

[b] The award relating to back wages is set aside with a direction that within a period of

two weeks from today, the petitioner shall pay sum of Rs. 10,000/- to the respondent in full and final settlement of his claim against the back wages.

The petition is accordingly disposed of. Interim relief, if any is vacated. Rule is discharged to the aforesaid extent. No costs.

[R.S. GARG, J.]

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